

RESPONSE

I. Restriction Requirement

The Examiner has determined that the original claims are directed to over 68 separate and distinct inventions under 35 U.S.C. § 121.

II. Response to Restriction Requirement

In response to the Requirement, Applicants hereby elect without traverse to prosecute the claims of the Group 39 invention (claim 6 (in part)), drawn to isolated human ENZ66 protein having SEQ ID NO:14, classified in class 435, subclass 194. Accordingly, claims 1-5 and 7-15 have been canceled herein without prejudice and without disclaimer as being drawn to non-elected inventions.

Applicants reserve the right to refile claims to the non-elected inventions in one or more future applications retaining the priority date of the present case and the earlier cited priority applications.

III. Claim 6

Claim 6 is generic to a plurality of disclosed patentably distinct species. Therefore, claim 6 is being amended to remove reference to non-elected inventions. However, as proteins comprising each of the amino acid sequences of SEQ ID NOS:2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, and 64 are patentably distinct, Applicants also reserve the right to refile claims to the non-elected inventions from claim 6 in one or more future applications retaining the priority date of the present case and the earlier cited priority applications.

IV. Status of the Claims

Claims 1-5 and 7-15 have been canceled without prejudice and without disclaimer as being drawn to non-elected inventions. No claims of the Group 39 invention have been cancelled. Claim 6 has been amended. No new claims have been added.

Claim 6 is therefore presently pending in the case.

V. Support for the Amended Claim

Claim 6 has been amended to remove reference to non-elected inventions. Support for this claim can be found throughout the specification as originally filed.

It will be understood that no new matter is included within the amended or newly added claims.


VI. Conclusion

The present document is a complete response to the Restriction and Election Requirement. Applicants believe that the claims of the instant application meet all of the conditions for patentability and are in condition for allowance. Accordingly, an early indication of the same is respectfully requested. Should Examiner Monshipouri have any questions or comments, or believe that certain amendments of the claims might serve to improve their clarity, a telephone call to the undersigned Applicants' representative is earnestly solicited.

Respectfully submitted,

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Date


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